



October 13, 2016

KANSAS BULLETIN NO. KS300-17-2

SUBJECT: LTP–Waiver to Begin a Conservation Practice

Purpose: To provide guidance on starting practices included in conservation program contracts (CPCs) prior to contract approval.

Expiration Date: September 30, 2018

Practices started or completed before CPC approval are not eligible for payments in accordance with the applicable program regulation and the CPC appendix. Starting a practice or engaging the services of a technical service provider before the contract is approved by Natural Resources Conservation Service (NRCS) renders an applicant ineligible for payment.

A waiver for starting financially assisted practices may be granted by the State Conservationist (STC). Requests for a waiver to this provision must be made in writing. Waivers may be considered in special cases and for meritorious reasons for applications that meet all eligibility requirements described in Section 512.24, "Processing Applications," provided all of the following additional conditions are met:

- The practice was not started when the waiver application is made.
- They have an up-to-date conservation plan and completed environmental evaluation worksheet (Form NRCS-CPA-52).
- Meritorious reasons are documented, which include any of the following:
 - Alleviation of imminent and significant environmental problems
 - Prevention of endangerment to life or property
 - Unusual or extreme weather constraints
 - Other reasons
 - Explanation must be provided for justification

For an applicant to remain eligible, the waiver must be granted after application for the program has been made but before starting the practice; otherwise, the applicant is ineligible to receive financial assistance for the conservation practice once the CPC is signed. This waiver will expire on September 30 of the current fiscal year. Field offices will inform applicants who have been granted a waiver that this waiver does not guarantee contract approval and that they may be ineligible to receive payments if either the applicant or practice does not meet all NRCS requirements.

(more)

DIST: A, F, S

Attached is a waiver to begin a conservation practice letter template for FOs to send to participants.

Contact: Please forward feedback through established channels to Monty R. Breneman, Assistant State Conservationist for Programs, at (785) 823-4569 or Monty.Breneman@ks.usda.gov

(signed)

ERIC B. BANKS
State Conservationist

Attachment